

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

MAURICE MAY,

Plaintiff,

vs.

BRIAN WILLIAMS, *et al.*,

Defendants.

Case No. 2:10-cv-00576-GMN-VCF

ORDER

Motion for Limited Purpose to
Attend Inmate Early Mediation
Conference (#40)

This matter comes before the Court on Travis Barrick's Application for the Limited Purpose to Attend Inmate Early Mediation Conference (#40), filed on August 3, 2012. Attorney Travis Barrick requests the Court allow him to attend the inmate mediation on Plaintiff's behalf even though he is not Plaintiff's counsel of record. On August 7, 2012, the Court entered a Minute Order (#41), stating that unless there was an objection to Mr. Barrick's request, the Court would allow his limited appearance. On August 14, 2012, Defendants filed an objection to Mr. Barrick's request. *See* Response (#42). Defendants state that the early settlement conference was agreed upon based on Plaintiff's desire to keep litigation costs low. Defendants argue that Mr. Barrick's appearance will increase the costs of settlement and/or litigation, and therefore the Court should deny his request. Alternatively, Defendants request that if the Court is inclined to allow Mr. Barrick's appearance, the Court should preclude Mr. Barrick from recovering costs or fees based on his appearance at the settlement conference.

On July 19, 2012, Defendants filed a Motion for Order Setting Inmate Early Mediation Conference (#37). Attached to that Motion is a letter from Plaintiff proposing that the parties engage in an early mediation conference before Plaintiff obtains an attorney, to keep the costs of

1 litigation low. *See* Plaintiff's Letter (#37-1). The Court is inclined to allow Mr. Barrick's
2 appearance so long as his appearance does not undermine the purpose of the early settlement
3 conference. Accordingly,

4 **IT IS HEREBY ORDERED** that Travis Barrick's Application for the Limited Purpose to
5 Attend Inmate Early Mediation Conference (#40) is **granted** subject to the condition that if a
6 settlement is not reached and Plaintiff ultimately prevails in this action, Plaintiff will not be allowed
7 to recover attorney's fees and costs related to Mr. Barrick's attendance at the settlement conference.

8 DATED this 15th day of August, 2012.

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11 GEORGE FOLEY, JR.
12 United States Magistrate Judge
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